

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2316

BY DELEGATE CAPUTO

[Introduced February 9, 2017; Referred
to the Committee on Veterans' Affairs and Homeland
Security then Finance]

1 A BILL to amend and reenact §15-2-3 of the Code of West Virginia, 1931, as amended, relating
2 to requiring the Superintendent of the State Police to develop a plan to increase the
3 number of troopers to a minimum of eight hundred by July 1, 2018.

Be it enacted by the Legislature of West Virginia:

1 That §15-2-3 of the Code of West Virginia, 1931, as amended, be amended and reenacted
2 to read as follows:

ARTICLE 2. WEST VIRGINIA STATE POLICE.

§15-2-3. State Police structure; how established; training; special revenue account.

1 (a) The superintendent shall create, appoint and equip the State Police which shall consist
2 of the number of troops, districts and detachments required for the proper administration of the
3 State Police. Each troop, district or detachment shall be composed of the number of officers and
4 members the superintendent determines are necessary to meet operational needs and are
5 required for the efficient operation of the State Police. The superintendent shall develop a program
6 to enable the state to attain a minimum number of eight hundred troopers by July 1, 2018. The
7 superintendent shall establish the general organizational structure of the State Police by
8 interpretive rule in accordance with ~~the provisions of~~ article three, chapter twenty-nine-a of this
9 code. The superintendent shall provide adequate facilities for the training of all members of the
10 State Police and shall prescribe basic training requirements for newly enlisted members. He or
11 she shall also provide advanced or in-service training, from time to time, for all members of the
12 State Police. The superintendent shall hold entry-level training classes for other law-enforcement
13 officers in the state without cost to those officers, except actual expenses for food, lodging and
14 school supplies. The superintendent may hold advanced levels of training classes for other law-
15 enforcement officers in the state for a reasonable daily fee per student not to exceed \$100.

16 (b) There is hereby created in the State Treasury a special revenue account, which shall
17 be an interest bearing account, to be known as the Academy Training and Professional
18 Development Fund. The special revenue account shall consist of training fees, any appropriations

19 that may be made by the Legislature, income from the investment of moneys held in the special
20 revenue account and all other sums available for deposit to the special revenue account from any
21 source, public or private. No expenditures, for purposes of this section, are authorized from
22 collections except in accordance with the provisions of article three, chapter twelve of this code
23 and upon fulfillment of the provisions set forth in article two, chapter eleven-b of this code. Any
24 balance remaining in the special revenue account at the end of any state fiscal year does not
25 revert to the General Revenue Fund but remains in the special revenue account and shall be
26 used solely in a manner consistent with this article. The superintendent is authorized to expend
27 funds from the account to offset operational and training costs; for building maintenance and
28 repair; for purchases and for equipment repair or replacement for the West Virginia State Police
29 Academy; and to defray necessary expenses incidental to those and other activities associated
30 with law-enforcement training.

31 (c) There is hereby created in the State Treasury a special revenue account, which is an
32 interest bearing account, to be known as the State Police 100th Anniversary Fund. The special
33 revenue account shall consist of merchandise sales, any appropriations that may be made by the
34 Legislature, income from the investment of moneys held in the special revenue account and all
35 other sums available for deposit to the special revenue account from any source, public or private.
36 No expenditures for purposes of this section are authorized from collections except in accordance
37 with the provisions of article three, chapter twelve of this code and upon fulfillment of the
38 provisions set forth in article two, chapter eleven-b of this code. Any balance remaining in the
39 special revenue account at the end of any state fiscal year does not revert to the General Revenue
40 Fund but remains in the special revenue account and shall be used solely in a manner consistent
41 with this article. The superintendent is authorized to expend funds from the account to offset costs
42 for the 100th anniversary celebration; for purchasing 100th anniversary commemorative
43 merchandise, equipment and vehicles; and to defray necessary expenses incidental to those and
44 other activities associated with the 100th anniversary of the West Virginia State Police. This fund

45 expires on December 31, 2019 and remaining funds shall be transferred to the Academy Training
46 and Professional Development Fund.

47 (d) The superintendent may hold training classes for certification to access and use the
48 West Virginia Automated Police Network (WEAPON) for a reasonable daily fee per student not to
49 exceed \$100.

50 (e) There is hereby created in the State Treasury a special revenue account, which is an
51 interest bearing account, to be known as the West Virginia State Police Criminal Justice
52 Information Services Fund. The special revenue account shall consist of: Fees collected for
53 training and certification for access to the West Virginia Automated Police Network (WEAPON)
54 system; any appropriations that may be made by the Legislature; income from the investment of
55 moneys held in the special revenue account; and all other sums available for deposit to the special
56 revenue account from any source, public or private. Any balance remaining in the special revenue
57 account at the end of any state fiscal year does not revert to the General Revenue Fund but
58 remains in the special revenue account and may be used solely in a manner consistent with this
59 article. The superintendent is authorized to expend funds from the account for the following
60 purposes: To offset operational and training costs; for building maintenance and repair; for
61 purchases and for equipment repair; personal services; software; other associated maintenance
62 costs; and to defray necessary expenses incidental to those and other activities associated with
63 the communications section of the West Virginia State Police.

NOTE: The purpose of this bill is to require the Superintendent of the State Police to develop a plan to increase the number of troopers to a minimum of eight hundred by July 1, 2018.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.